

*Seetharan, J*

**UNITED STATES DISTRICT COURT**  
for the  
**SOUTHERN DISTRICT OF NEW YORK**

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YEHUDA KATZ, on behalf of himself and the  
class,

Plaintiff,

-against-

BOWLMOR TIMES SQUARE, LLC,

Defendant.

Case No. 12-CV-5197 (~~BS~~)(*RJS*)

**STIPULATION FOR  
ENLARGEMENT OF TIME TO  
ANSWER THE THIRD-PARTY  
COMPLAINT OF BOWLMOR  
TIMES SQUARE, LLC  
AND ORDER**

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BOWLMOR TIMES SQUARE, LLC,

Third-Party Plaintiff,

-against-

ATM NETWORK, INC.,

Third-Party Defendant.

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/10/2012</u>
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WHEREAS, Plaintiff, YEHUDA KATZ ("Plaintiff") filed a Complaint against Defendant BOWLMOR TIMES SQUARE, LLC ("Bowlmor") and other defendants on or about July 3, 2012, in this Court; and

WHEREAS, Defendant Bowlmor filed a Third-Party Complaint in this Court against ATM Network, Inc. on or about September 12, 2012; and

WHEREAS, Defendant Bowlmor served ATM Network, Inc. with the Summons and Third-Party Complaint on or about September 18, 2012; and

WHEREAS, the parties agree to stipulate to extend the time for ATM Network, Inc. to respond to the Third-Party Complaint, without leave of Court, to October 29, 2012; and

WHEREAS, ATM Network, Inc. will not challenge Bowlmor's purported service, does not dispute that this Court has personal jurisdiction over this matter but does not concur the Court has subject matter jurisdiction by entering into this Stipulation for Enlargement of Time for it to respond to the Third-Party Complaint; and

WHEREAS, neither party has made a previous request for an enlargement of time related to the Third-Party Complaint.

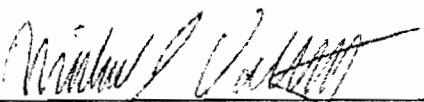
IT IS HEREBY STIPULATED by and between Third-Party Plaintiff, Bowlmor, on the one hand, and Third-Party Defendant, ATM Network, Inc., on the other, through their respective counsel herein, that ATM Network, Inc. may have an extension of time to answer, move, or otherwise respond to the Third-Party Complaint to and including October 29, 2012.

This extension of time will not alter the date of any event or deadline already fixed by Court order.

IT IS SO STIPULATED.

DATED: October 8, 2012

GORDON & REES, LLP

By:   
Michael Vollbrecht

Attorneys for Defendants and Third-Party  
Plaintiff  
BOWLMOR TIMES SQUARE, LLC

DATED: October 8, 2012

KRAUSE & HOVLAND,  
Chartered

By: 

James B. Hovland

Attorney for Third-Party Defendant  
ATM NETWORK, INC.

**ORDER**

Pursuant to the foregoing Stipulation for Enlargement of Time to Answer the Third-Party Complaint of Bowlmor Times Square, LLC it is hereby ordered that ATM Network, Inc. has until on or before October 29, 2012 to file its Third-Party Answer in this matter.

BY THE COURT.

A large, stylized handwritten signature in black ink, appearing to read 'R. Sullivan', is written over a horizontal line.

Richard J. Sullivan  
United States District Judge  
for the Southern District of  
New York

10/9/12